

Request for Reconsideration Under 37 C.F.R. § 1.111  
U.S. Application No.: 09/364,370  
Attorney Docket No.: A8494/ST9-99-077

### REMARKS

Claims 1-30 are all the claims pending in the application. Applicant acknowledges that the Examiner has reopened prosecution in view of the appeal brief filed on June 25, 2003.

#### **I. Claim Rejections under 35 U.S.C. § 102(e)**

Claims 1-8, 11-18 and 21-28 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Yokote (US 6,138,140). Applicant respectfully traverses this rejection on the following basis.

Claim 1 recites the feature of receiving an input object, wherein the received input object contains input data and one input function executable on a computer. Applicant submits that Yokote fails to disclose or suggest at least this feature of claim 1.

Yokote discloses a data processing system having a server 1, a client 2, and a network 3 (see Fig. 1). The server 1 contains application programs 11-1, 11-2 comprising a plurality of objects 14-1, 14-2 and execution environments 12-1, 12-2 comprising a plurality of objects 15-1, 15-2 (see col. 3, lines 19-29). Similarly, the client 2 contains application programs 21-1, 21-2 comprising a plurality of objects 24-1, 24-2 and execution environments 22-1, 22-2 comprising a plurality of objects 25-1, 25-2 (see col. 3, lines 30-42).

The Examiner alleges that Yokote discloses the feature of receiving an input object 14-1 that contains input data and one input function that is downloaded from the server 2. Applicant respectfully disagrees.

Contrary to the allegation of the Examiner, input object 14-1 does not contain both input data and an input function. The Examiner takes the position that the data within object 14-1 corresponds to the claimed input data and references col. 12, lines 17-18 in support thereof. The Examiner, however, proceeds to allege that object 14-1 also contains an input function that corresponds to a function downloaded from server 1 and references col. 10, lines 28-29 in support. Applicant respectfully submits that the Examiner is mischaracterizing the disclosure of Yokote.

In particular, at col. 10, Yokote discloses that a plurality of functions can be downloaded from server 1 and, therefore, the client is only required to provided a minimum number of functions. Thus, Yokote merely describes that “functions” can be downloaded from the server 1 to the client 2, but there is no disclosure or suggestion in Yokote that object 14-1 will contain both input data and an input function. Accordingly, Applicant respectfully submits that Yokote fails to disclose or suggest the feature of receiving an input object, wherein the received input object contains input data and one input function executable on a computer, as set forth in claim 1.

In addition, claim 1 sets forth the feature of determining a type of a received input object, and based on the determined type, ascertaining whether the received input object satisfies one or more predefined requirements. Applicant respectfully submits that Yokote also fails to disclose or suggest this feature of claim 1.

In Yokote, a negotiation phase takes place between the server 1 and the client 2 to determine whether an object can be downloaded from the server 1 to the client 2 (see col. 11, lines 14-18). This negotiation phase, however, takes place prior to the object being downloaded to the client 2 and, therefore, the object cannot be considered a received input object at the time the negotiation takes place.

Thus, as the negotiation phase in Yokote occurs prior to downloading, Applicant submits that the feature of ascertaining whether the received input object satisfies one or more predetermined requirements is not disclosed by Yokote. That is, even assuming arguendo that the negotiation phase of Yokote corresponds to ascertaining whether an object satisfies one or more predefined requirements based on the type of the object, in Yokote, the determination as to whether a predetermined requirement is met takes place before the object is downloaded, and, therefore, the object cannot be considered a received input object. As clearly set forth in claim 1, ascertaining whether a input object satisfies predetermined criteria takes place after the object is received, not before the object is received.

Based on the foregoing, Applicant respectfully submits that Yokote fails to disclose or suggest each and every feature of claim 1. Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection.

Claims 2-8 depend from claim 1 and therefore incorporate all of the features thereof. Accordingly, Applicant submits that claims 2-8 are patentable at least by virtue of their dependency.

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In addition, claim 4 sets forth the feature of producing an output object by using a result produced by the executed input function. The Examiner alleges that Yokote discloses such a feature at col. 2, lines 12-19. Applicant respectfully disagrees.

Contrary to the allegation of the Examiner, Yokote merely discloses a first executor for interpreting and executing the application program, a binary code generator for compiling intermediate code and generating binary code, and a second executor for executing the binary code and a system object (see col. 2, lines 12-17). Applicant respectfully submits that Yokote fails to disclose or even suggest the feature of producing an output object by using a result produced by an executed input function, as is set forth in claim 4.

Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection of claim 4. If the Examiner persists in this rejection, Applicant respectfully requests that the Examiner particularly identify the structure in Yokote that allegedly corresponds to the above discussed feature.

Independent claims 11 and 21 recite similar features to those discussed above with respect to claim 1. Accordingly, Applicant submits that Yokote fails to disclose or suggest all of the feature of claims 11 and 20 for at least the same reasons. Therefore, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection of these claims.

Claims 12-18 depend from claim 11 and claims 22-28 depend from claim 21. Accordingly, Applicant submits that these claims are patentable at least by virtue of their

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dependency. In addition, Applicant submits that dependent claims 14 and 24 are patentable at least for the same reasons as discussed above with respect to claim 4.

## **II. Claim Rejections under 35 U.S.C. § 103(a)**

A. Claims 9, 19 and 29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Yokote (US 6,138,140) in view of Aditham (US 6,378,001).

Claims 9, 19 and 29 depend from independent claims 1, 11 and 21, respectively. Applicant submits that Aditham fails to cure the deficiencies discussed above regarding independent claims 1, 11 and 21. Accordingly, Applicant submits that claims 9, 19 and 29 are patentable at least by virtue of their dependency.

B. Claims 10, 20 and 30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Yokote (US 6,138,140) in view of Nakai (US 6,253,248).

Claims 10, 20 and 30 depend from independent claims 1, 11 and 21, respectively. Applicant submits that Nakai fails to cure the deficiencies discussed above regarding independent claims 1, 11 and 21. Accordingly, Applicant submits that claims 10, 20 and 30 are patentable at least by virtue of their dependency.

## **III. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

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Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,

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**23373**

CUSTOMER NUMBER

Date: December 12, 2003